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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,453	08/30/2001	Thomas Jessop	G08.057	7938
28062 7590 03/25/2008 BUCKLEY, MASCHOFF & TALWALKAR LLC 50 LOCUST AVENUE NEW CANAAN, CT 06840				
EXAMINER LIVERSEDGE, JENNIFER L				
ART UNIT		PAPER NUMBER		
3692				
MAIL DATE		DELIVERY MODE		
03/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/942,453

Applicant(s)

JESSOP ET AL.

Examiner

Jennifer Liversedge

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-19, 23, 34 and 45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-19, 23, 34 and 45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for continued examination of application 09/942,453 filed on December 20, 2007.

The amendment contains original claims: 2-4, 6-12, 15-19 and 34.

The amendment contains previously presented claims: 5, 13, 23, 33 and 45.

The amendment contains amended claim: 1.

Claims 14, 20-22, 24-32, 35-44 and 46 have been canceled.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 20, 2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-13, 15-19, 23, 34 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,721,713 B1 to Guheen et al. (further referred to as Guheen), in view of US Pub No. 2002/0158918 A1 to Feibush et al. (further referred to as Feibush), and further in view of US Patent 5,132,899 to Fox (further referred to as Fox).

Regarding claim 1, Guheen discloses a method comprising:

Selecting a first corporate entity information type that defines a first corporate entity (Figures 1, 10, 11, 18, 27A-F, 29A; columns 1-2, 7-14);

Selecting a second corporate entity information type that defines a second corporate entity (Figures 1, 10, 11, 18, 27A-F, 31A; columns 1-2, 7-14);

Selecting a corporate entity relationship information type that defines a relationship between said first and second corporate entity information types (Figures 1, 10, 11, 18; 27A-F; columns 1-2, 7-14);

Displaying said corporate entity identity and said corporate entity relationship information types in a graphical user interface view with predetermined indicia, the

indicia graphically providing an indication of a connection between said first and second corporate entity information types (Figures 1, 8, 10, 11, 16, 18, 23B, 27A-F; columns 1-2, 7-14); and

Providing an alternation mechanism to dynamically change an information type, chosen from the group comprising corporate entity, corporate entity relationship, selection, grouping, arrangement and view type to be displayed in said graphical user interface view (Figure 21C, 27A-F, 87; columns 1-2, 7-14, 29).

Guheen does not disclose indicia graphically providing an indication of a strength of the relationship though Guheen does disclose comparing of the strengths and weaknesses of each individual entity (column 11). However, Feibush discloses indicia graphically providing an indication of a strength of the relationship (Figures 5-7; pages 1-4). It would be obvious to one of ordinary skill in the art to adapt the use of relationship strength as disclosed by Feibush to the method of pictorially displaying alliances among entities as disclosed by Guheen. The motivation would be to relate the entities' strengths and weaknesses as they contribute to an alliance, and how those strengths and weaknesses build-up or hinder the alliance.

Further, Guheen does not disclose displaying a newly chosen information type associated with a first and second information type, each in separate panels in the graphical user interface to facilitate comparison. However, Feibush discloses displaying a newly chosen information type associated with a first and second information type, each in separate panels in the graphical user interface to facilitate comparison (page 3,

paragraphs 30-31). It would be obvious to one of ordinary skill in the art at the time of the invention to adapt the use of comparison displays based on running scenarios as disclosed by Feibush with the method of pictorially displaying alliances among entities as disclosed by Guheen. The motivation would be to use commonly known techniques in the field of computer technology to provide multiple views within one screen to provide a means of making side-by-side visual comparisons.

Neither Guheen nor Feibush disclose creating a financial product based on the selected and displayed information types. However, Fox discloses creating a financial product based on the relationship between displayed information types (column 1, lines 25-33; column 4, lines 10-15 and lines 56-60; column 5, lines 18-29; column 6, line 65 – column 7, line 26). Given the combination of Guheen and Feibush, where Guheen discloses comparing and graphically depicting the strengths and weaknesses of individual entities as well as which services and products each provide, and Feibush discloses indicia graphically providing an indication of a strength of the relationship, it would be obvious to one of ordinary skill in the art to combine the use of creating a financial product based on the relationship between factors related to the relationship between investment managers, the investment managers' government reports, and industry designation for the stocks in the investment managers' portfolios in the selecting of a financial product as disclosed by Fox with the selecting of products and services based on entity relational alliances data and the strengths therein as disclosed by Guheen and Feibush. The motivation would be that the alliances as disclosed by

Guheen indicate which entities are strong individually as well as in an alliance with other entities; and Feibush provides a measure of strength between the entities; combining Guheen and Feibush with the selection method provided by Fox would result in the constructing of products based on known relationally strong entities which provides an indicator as to the potential success with the constructed financial product.

Regarding claims 2-13, Guheen discloses predetermined corporate entity information chosen from the group comprising corporate entities and corporate information; the group comprising buyer-seller relationships, customer-supplier relationships, company-client relationships, parent company-subsidiary relationships, ownership relationships, resource sharing relationships, joint ventures, political/business relationships, competitor relationships, value chain relationships, horizontal and vertical relationships; selection and grouping information chosen from the group comprising stocks, bonds, financial instruments, sectors, industry segments, SIC codes, and product lines; arrangement information chosen from the group comprising column, row, grid, map, free-form, and structured; view type information chosen from the group comprising fundamental information, market risk information and performance information (Figures 1, 8, 10, 11, 14, 16, 17, 18, 21C-F, 23B-F, 27A-F columns 1-2, 7-14).

Regarding claims 15-19, Guheen discloses where corporate entity and corporate relationship indicia are chosen from the group comprising graphic, audio, video; graphic

and corporate entity relationship indicia chosen from the group comprising color, pattern and shape (Figure 1, 11, 16, 22, 27A-F, 94; columns 1-2, 7-14).

Regarding claim 23, Guheen discloses where said alteration mechanism is chosen from the group comprising pointing device input, keyboard input and voice input (column 23).

Regarding claim 34, neither Guheen nor Feibush disclose creating a financial product based on the relationship between said displayed information types wherein the financial product is chosen from the group comprising market baskets of financial instrument, structured products, financial indices and mutual funds. However, Fox discloses creating a financial product based on the relationship between said displayed information types wherein the financial product is chosen from the group comprising market baskets of financial instrument, structured products, financial indices and mutual funds (column 1, lines 25-33). It would be obvious to one of ordinary skill in the art to adapt the use of creating a financial product based on relationships between investment managers, their government reports, and the industries from which their holding are represented as disclosed by Fox with the selecting of products and services based on entity relational alliances data and the strengths therein as disclosed by Guheen and Feibush. The motivation would be that the alliances as disclosed by Guheen indicate which entities are strong individually as well as in an alliance with other entities, and

which services and products each provide, and by selecting a product or service based on the relationships provides an indicator as to potential success with the product.

Regarding claim 45, Guheen discloses providing another information type chosen from the group of government entities, government information, financial entities, financial information, industry information, industry segment information, sector information, index information, personal entities and personal information, that may be displayed in said graphical user interface view, selected by said alteration mechanism and related to the other information types by said indicia (Figures 1, 8, 10, 11, 14, 16, 17, 18, 21C-F, 23B-F, 27A-F columns 1-2, 7-14, 23).

Response to Arguments

Applicant argues that neither Guheen, Feibush, nor O'Shaughnessy disclose the material which was newly added in the present amendment. Accordingly, this limitation has been addressed in the present Office Action as detailed in the claim 1 rejection as set forth above.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3692

/Kambiz Abdi/
Supervisory Patent Examiner, Art Unit 3692